## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted on May 21, 1999 to the Patent and Trademark Office (703-308-6459). The transmission includes 4 Pages.

Dr. Paul Vincent

Reg. No. 37,461

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20 MAY 1990

Imarnational Division

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : LAUK

US Application No. : 08/981,924

PCT Application No. : PCT/DE96/01269

Int. Filing Date
Priority Date

: 12 July 1996 : 12 July 1995

For

: METHOD FOR DETERMINING THE

EFFECTIVENESS AND TOLERANCE OF A

XENOGENEIC SUBSTANCE ADMINISTRERED TO

AN ORGANISM

Docket No.

: P2941 WO US

COMMISSIONER OF PATENTS AND TRADEMARKS BOX PCT WASHINGTON D.C. 20231 ATT. PCT LEGAL OFFICE LEONARD SMITH

## RENEWED PETITION TO REVIVE UNDER 37CFR 1.137 (a)

This communication provides new evidence in support of a petition to revive under 37 CFR 1.137 (a). This petition has been dismissed without prejudice in a decision dated 30 March 1999, since the applicant has not provided evidence of two day delivery by Federal Express and has not provided evidence concerning the date on which the papers were delivered to Federal Express.

Enclosed herewith is an invoice from Federal Express indicating dispatch of papers on January 8, 1998 from Stuttgart, Germany to BOX PCT USPTO as Airway Bill Number 400-5497-6084. The delivery date of January 13, 1998 is also

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indicated. This delivery contained the request for nationalization papers which are the subject of this petition. This document provides sufficient evidence of the delivery date of the papers to Federal Express.

Also enclosed herewith is a letter from Federal Express indicating that "the delivery time for your above mentioned mailing is two work days, in this case from 08.01.1998 [January 08, 1995], the delivery deadline in the USA is 11.01.1998 [January 11, 1998]". The AWB Nr. 400-5497-6084 is also specified.

These documents provide sufficient evidence that the delayed delivery date of two additional days could not have been expected. Despite due care the request for nationalization was delayed. This delay was therefore unavoidable.

The legal examiner is respectfully requested to review his position in the light of this evidence and to grant this petition.

The applicant believes this submission to be timely and that no extension fees are due. If this is not the case, the applicant conditionally petitions for an extension under 37 CFR 1.136(a). Any fees related to this communication or any credits can be charged to deposed account number 50-0355.

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Respectfully Submitted

Dr. Paul Vincent

Reg.Nr. 37,461

Enclosures:

FedEx Invoice

FedEx Letter of 17.05.99

Diese Rechnung gilt in bindung mit der Durchschrift des Luftfra briefes (den Durchschrift des Ausfuhmachweis für Umsatzsteuerzwecke aller oben aufgeführten Exportsendungen gemäß § 10 Abe. Nr. 1 U UStR. Die Beförderung der in den genannten Luftfrachtbriefen aufgeführten Gegenständen wurde gemäß der \ durchgeführt. Ich versichere, daß ich die Angaben über die Versendung/Beförderung nach bestem Wissen und Geschäftsunterlagen gemacht habe, die im Geltungsbereich der UStDV nachprüfbar sind.

Diese Bescheinigungsform und der maschinelle Unterschriftsausdruck wurde genehmigt durch Verfügung der

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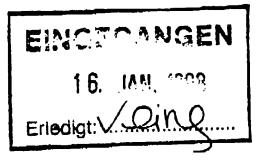
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17.05.99

AWB-NR: 400-5497-6084 Unser Telefonat vom 17/05/99

Kunden-Nummer

1998-6038-0

Sehr geebrie Frau Freudenmann,

die Laufzeit für Ihre o.g. Sendung beträgt 2 Werktage, in diesem Fall vom 8.1. 1998 wäre der Zustellungstermin in den USA, am 11.1.1998.

Freundliche Grüße,

FEDEX EUROPE, INC.

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Nina Albrecht

Executive Services Group

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